

Congress of the United States

Washington, DC 20515

December 13, 2001

The Honorable Wally Herger
Chairman
Ways and Means Subcommittee on Human Resources
United States House of Representatives
2268 Rayburn House Office Building
Washington, D.C. 20515-0001

Dear Congressman Herger:

As you consider legislation to re-authorize the Temporary Assistance for Needy Families (TANF) and other federal assistance programs under your jurisdiction, we, members of the Congressional Hispanic Caucus, seek several changes in the eligibility requirements for legal permanent residents (LPRs). We believe that restoring benefits to LPRs available prior to the implementation of the Personal Responsibility and Work Opportunity Reauthorization Act (PRWORA) is essential in meeting the goals of welfare reform, which is to reduce poverty and increase self-sufficiency.

Unfortunately, current law often denies poor, hardworking immigrants access to the very safety net their tax dollars support. Prior to PWORA, LPRs were eligible for federal public assistance under conditions comparable to those applied to citizens. For example, immigrants were eligible to receive Supplemental Security Income (SSI) and Assistance to Families and Dependent Children (AFDC) without regard to their date of entry or length of residency. We support removing the date of entry restriction and five-year bar which hinder immigrant families, many of which consist of citizen children of immigrant parents, from obtaining much needed benefits such as cash assistance, child care, job training, and transportation services. We strongly recommend that qualified immigrants be subject to the same eligibility criteria as citizens.

Furthermore, while we support linking work requirements with assistance, we feel there needs to be more flexibility regarding what constitutes work. In particular, English as a Second Language (ESL) courses should be counted towards a beneficiary's work requirement. Proficiency in English is key to obtaining higher-wage jobs and leaving the welfare rolls. On average, immigrants with limited English speaking skills earn 24 percent less than their employed counterparts who are fluent in English. Given the interdependence between English proficiency and economic opportunity, ESL activities should be encouraged, and therefore credited as a work activity.

Additionally, the 1996 changes imposed on "deeming" a sponsor's income unduly restricts participation of immigrants in federal means-tested programs. Often, the economic well-being of an immigrant and his or her sponsor are incongruous. Unforeseeable family and/or economic

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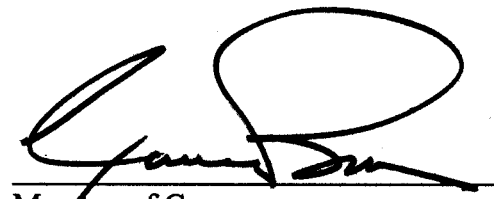
circumstances can create undue hardship on an immigrant and unfair liability on a sponsor. The deeming rules implemented in 1996 need to be scaled back and reflect the deeming rules previously in place. Therefore, we encourage the adoption of deeming requirements that only count a portion of a sponsor's income and resources, and more importantly apply only three years after an immigrant's date of entry.

We appreciate your consideration of the above issues and look forward to working with you on welfare reauthorization.

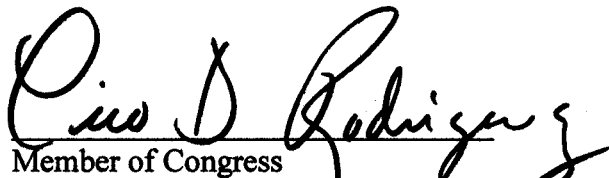
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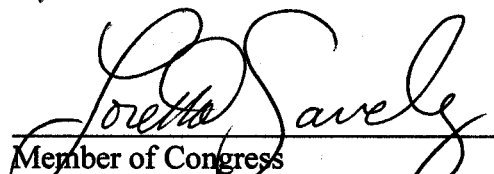
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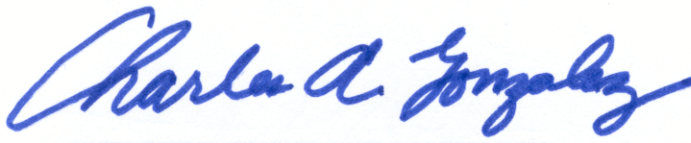
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The Honorable Benjamin L. Cardin
Ranking Member
Ways and Means Subcommittee on Human Resources
United States House of Representatives
2267 Rayburn House Office Building
Washington, D.C. 20515

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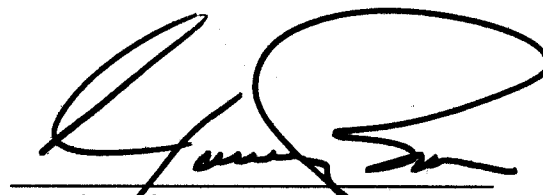
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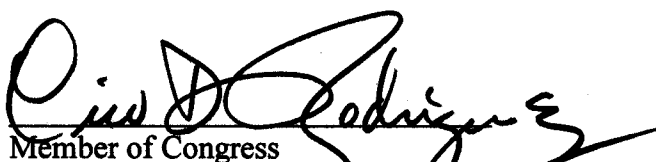
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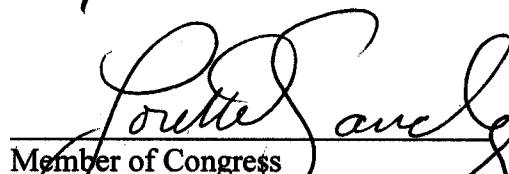
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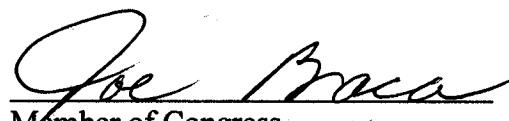
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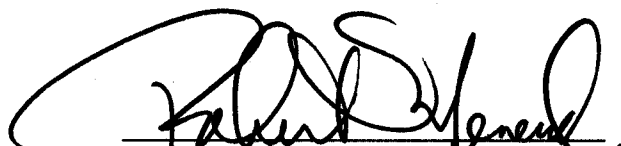
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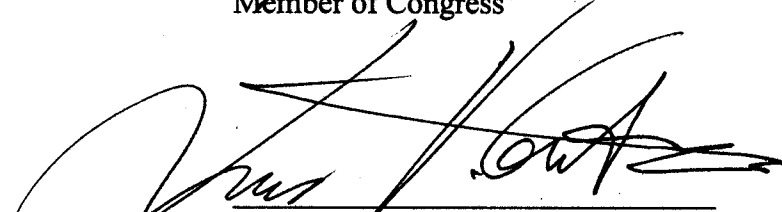
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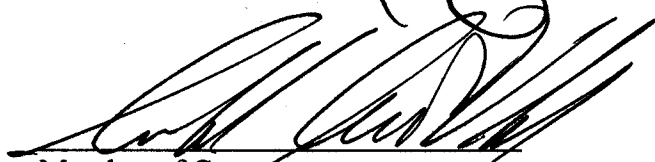
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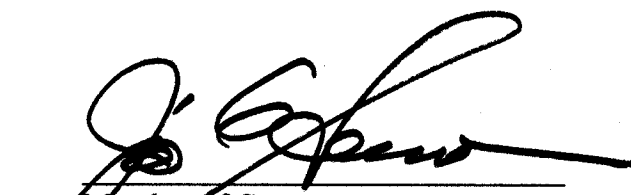
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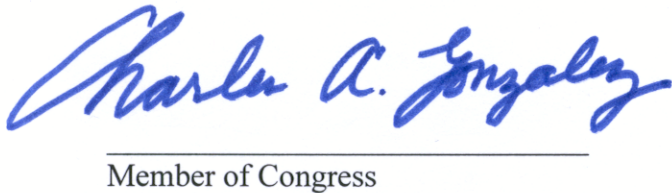
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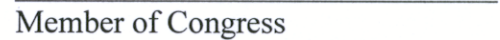

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